

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DERRICK LEE CARDELLO-SMITH, #267009,
SEXUAL ASSAULT SURVIVOR,
Petitioner,

Vs

Case: 2:25-cv-11802

Assigned To : Goldsmith, Mark A.

Referral Judge: Ivy, Curtis, Jr

Assign. Date : 6/17/2025

Description: HC CARDELLO V COMBS (MRS)

SEAN COMBS, a/k/a/ Diddy,
a/k/a/ Puff Daddy, a/k/a/ P. Diddy,
KYM L. WORTHY, Wayne County Prosecutor,
D. BONN, Warden, Custodian of Petitioner,
WAYNE COUNTY PROSECUTORS OFFICE,
HARVEY F. TENNEN, Wayne County Court Judge,
JOHN D. O'HAIR, Former Wayne County Prosecutor,
PATRICIA PENMAN, Detective for Wayne County,
Respondents,

PETITION FOR WRIT OF HABEAS CORPUS
UNDER 28 USC § 2254 BY A PERSON IN STATE
CUSTODY AND TRANSCRIPTS OF WAYNE COUNTY
PROSECUTOR KYM WORTHY ADMITTING TO THE
COVER-UP OF THE RAPE OF PETITIONER BY THE
RESPONDENT SEAN COMBS UNDER OATH IN THE
JUDGES CHAMBERS ON MAY 1, 1998

Petitioner, Derrick Lee Cardello-Smith, In the above cause, now presents this Petition for Writ of Habeas Corpus seeking immediate release from the custody of the Michigan Department of Corrections which is carrying out a sentence that is clearly unlawful and completely built on lies, false police reports, false charges, attempted murder of this Petitioner by the respondents, and the cover-up of this petitioners sexual assault by the respondent Sean Combs using the respondents themselves to cover-up the rape and in support of this, the petitioner states the following factually based claims taken from the OWN TESTIMONY OF RESPONDENT KYM L. WORTHY, CURRENT WAYNE COUNTY PROSECUTOR WHO APPEARED FOR TESTIMONY IN THE CHAMBERS OF JUDGE HARVEY TENNEN ON MAY 1, 1998.

The transcripts confirm and show the following:

1. SEAN COMBS, a/k/a/ Diddy, a/k/a/ Puff Daddy, a/k/a/ P. Diddy, did sexually assault this petitioner and then paid to have it covered up by the correspondents.
2. KYM L. WORTHY, Wayne County Prosecutor, and former Judge of the Records court did in fact Testify that she along with the other respondents entered into a conspiracy to frame and convict this petitioner as the transcribed documents attached into

this herein pleading support completely.

D. BONN, Warden, Custodian of Petitioner, is simply the warden who is carrying out the unlawful sentence and he has done nothing personally to this petitioner, but he is carrying out this unlawful sentence as so many prison wardens have since 1997.

WAYNE COUNTY PROSECUTORS OFFICE, the office of the Wayne County Prosecutor beginning with John O'Hair and Kym worthy has been used to destroy this petitioners life and hold this petitioner for decades on false charges and has been used to uphold the illegal activities of the Respondents combined and Individual efforts to frame this Petitioner, and most importantly VIOLATE THIS PETITIONERS DUE PROCESS RIGHTS.

HARVEY F. TENNEN, Wayne County Court Judge, knowingly allowed the respondents Kym L. Worthy, John O'hair to appear in a court hearing and testify to their many crimes and to also, destroy this Petitioners Freedom and frame this Petitioner for crimes that they knew this Petitioner is and was innocent of, as proven by the transcripts submitted herein on the record.

JOHN D. O'HAIR, Former Wayne County Prosecutor knowingly allowed Judge Kym Worthy, and Current Wayne County Prosecutor to Commit crimes and frame this Petitioner, and he allowed her to Waive her Judicial and Governmental Immunity in the transcribed proceedings that are herein attached and he did so willingly to violate this petitioners due process rights and frame this petitioner for crimes petitioner did not do, as the transcripts herein prove.

PATRICIA PENMAN, Detective for Wayne County, Patricia Penman, the ex-girlfriend and detective in the case of this Petitioner has been used to incarcerate this Petitioner on false rape charges and also the attempted murder of this petitioner, when it was known all along that the respondents were in fact, guilty of committing crimes against this petitioner, as the transcripts attached herein do support.

TRANSCRIPTS

I submit these transcripts as my offer of proof in this case to support this claim and I state that the respondents have in fact violated many many laws and are still trying to keep this petitioner incarcerated on crimes that his petitioner did not commit and in order to hide their own illegal activities, as I have tried to get the courts to hear and see in every single appeal I have made in my criminal appeals, and I have alway sbeen denied by the corts who are only intereted in Sticking to Procedure and not getting to the truth which I have been saying for years....that I am innocent of these crimes, and I have been framed fo rthese crimes and after decades of the fight that I have taken, I have been denied every step of the way....Now, I am forced to reveal the full truth of these respondents and what they have done to this petitioner by showing them in their own words that they have been lying about me, lying to the public and most importantly, have built their entire legal career based upon lies and it is detailed within the attached 24 pages of transcripts herein attached to support my fight for freedom and I ask this Court to consider tehse transcripts during this process and that I am granted my relief I have been entitled to for decades and been denied for decades and I ask for it immediately.

OFFER OF PROOF

Transcripts of May 1, 1998 proceeding where Kym Worthy, Admitted to framing me

and the Judge presiding over the case admits to framing me and working with Sean Combs as I have been claiming all along and been denied and called a liar.

Nothing speaks louder than the respondents own words and now I am bringing their own words to this court's jurisdiction and attention and I ask that this court grant me the following relief listed.

CONVICTION INTEGRITY UNITS ANSWER

I also presented the Conviction Integrity Unit with these transcripts, and letters about this entire matter and The Wayne County Prosecutors Deputy Chief herself, Valerie Newman stated that she "DOES NOT DISAGREE WITH MY ASSESSMENT" and this is proven by her letter attached as OFFER OF PROOF #2...See it and read it for yourself.

You can even contact her and she will confirm that this is HER LETTER TO ME and that it is what she wrote back to me.

Then the Public Integrity Unit was supposed to investigate it and they did not because RESPONDENT PATRICIA PENMAN IS IN CHARGE OF THAT OFFICE TOO.

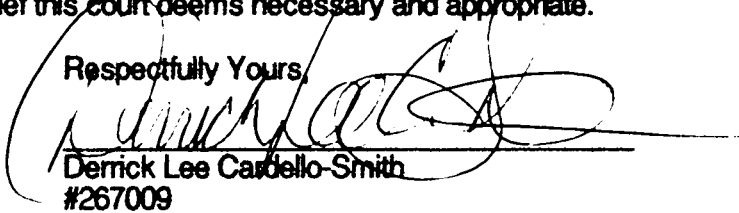
This whole case is littered with Crimes Committed by the respondents in their official capacities and individual capacities, all to frame this petitioner and it is something that this court must consider as that the Wayne County Prosecutors Own Employee has verified it as it is detailed in the offer of proof attached.

RELIEF SOUGHT

Wherefore, Petitioner prays this court will grant the relief of issuing the writ of habeas corpus, order my release from state prison, arrest the respondents, and grant any further relief this court deems necessary and appropriate.

Respectfully Yours,

June 10, 2025


Derrick Lee Cardello-Smith
#267009

Pro Se Petitioner
Ionia Maximum Correctional Facility
1576 W. Bluewater Highway
Ionia, MI 48846

OFFER OF PROOF #1

**MAY 1, 1998 TRANSCRIPTS CONFIRMING
RESPONDENTS WORKED FOR SEAN COMBS
TO FRAME PETITIONER FOR CRIMES OF RAPE
PETITIONER IS INHERENTLY INNOCENT OF**

STATE OF MICHIGAN
THIRD JUDICIAL CIRCUIT COURT FOR WAYNE COUNTY
CRIMINAL DIVISION

FILED

WAYNE COUNTY CLERK

MAY 2, 1998

PEOPLE OF THE STATE OF MICHIGAN

Plaintiff,

SEALED FILE MATERIALS

JUDICIAL ORDER DIRECTIVES

PENDING INVESTIGATION

Vs

File No 1998-004133-01

DERRICK LEE CARDELLO-SMITH,

Defendant,

Honorable Harvey Tennen

MOTION

PLEA & SENTENCE
AGREEMENT ALLOCUTION
SPECIAL PROCEEDINGS, JUDICIAL CHAMBERS
CLOSED HEARING-PRIOR TO PUBLIC PLEA

RECORD

Of the proceedings had in the above cause on the 1st day of May, 1998 in Detroit, Michigan, before me, the undersigned, Clerk of the Court, in and for the County of Wayne, State of Michigan, in the above entitled cause, between the People of the State of Michigan, Plaintiff, and Derrick Lee Cardello-Smith, Defendant.

FILED

WAYNE COUNTY CLERK'S OFFICE

UNSEALED MARCH 21, 2007

HONORABLE HARVEY TENNEN, CIRCUIT JUDGE

APPEARANCES:

JOHN D. O'HAIR P18432
On behalf of the Wayne County Prosecutor
For Kym L. Worthy P38875
1441 St. Antoine Street
Detroit, Michigan 48226

DERRICK LEE CARDELLO-SMITH
Defendant
Acting in Pro Per
W.C.J. Inmate (Detainee)

FILED

WAYNE COUNTY CLERK'S OFFICE

Case No's 1998-004133-01(1)

1998-004133-01(2)

Derrick Lee Moore-as to Derrick Lee Cardello-Smith

Per Honorable Harvey F. Tennen

CLOSED SESSION PLEA HEARING ON 5-1-98

*Cathy Rickstad,
Certified Shorthand Reporter & Photography
For Confidential Photography & Reporting Services
Farber Studios, Inc
4925 Cadieux Road
Detroit, Michigan 48224*

FILED

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John D. O'Hair

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FILED

Friday, May 1, 1998

at 7:33am

Detroit, Michigan

RECORD

THE COURT: We are here and on the record for a Special Closed-Session Hearing in the matter of People of Michigan v Derrick Lee Cardello-Smith, Case No's 1998-004133-01 (1) and 1998-004133-01-(2) Closed Plea agreement and Public Plea Agreement between both parties and Special Proceedings Plea And Sentence hearing for allocution on special request for the Defendant who is appearing in pro per for the Hearing in my personal chambers....

THE COURT: For the record, this hearing is transcribed and is to remain sealed per all parties prior agreement entered into in August 1997.

THE COURT: Please state your names for the record.

DEFENDANT: Mr. Derrick Lee Cardello-Smith acting in pro per your Honor.

THE COURT: Very good Mr. Cardello-Smith, and the People?

PROSECUTOR: John D. O'Hair on behalf of the Wayne County Prosecutor's Office and for Her Honor, Witness Kym L. Worthy.

THE COURT: Okay, alright then, it looks like we have a proceeding to get through which I am to understand consists of an Adjacent yet, connected plea and sentence agreement with circumstances that involve a condition that the Defendant has adamantly stated is a requirement to have on the record, or a matter of record to support any unforeseen appeal or problems arising out of the agreement for which we are all present and have agreed upon in prior hearings? Is this correct Defendant Cardello-Smith?

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DEFENDANT: Yes your honor, that is correct sir--I am here because of the totality of the people involved and the length of efforts done to silence me on the matters we have discussed concerning Sean Combs, you know, Puff Daddy, Mr. Bad boy and him raping me and keeping my money from the investment all of us gave him last year, wait your honor, am I allowed to mention that here?

THE COURT: Yes, we are all friends here, I gave him money too, so it is okay and yes, you can discuss the rape and your money you gave him, Mr. Combs here, because this is sealed but when your in open court, keep this all quiet, you know what happens if you do not right?

DEFENDANT: Yes I do Sir...I most certainly and I want my family safe which is why I am here today..

THE COURT: Understood...now, where are we at with Mr. Colleague Kym Worthy? Are you ready to answer Cardello-Smith's question, Direct the Court to ask Lee Cardello-Smith or can I just call you Kym, since we are on a first name basis anyway, ha ha ha.

PROSECUTOR: Sir, if I might interject?

THE COURT: Of course John, I forgot you were here, your so quiet, what would you like to say sir?

PROSECUTOR: Your honor, I believe that we need to establish the boundaries of this line of questioning from the Defendant, he is not a lawyer and there has to be some protocol because of the others involved in this matter and as you well know, what we say here can have serious lasting impacts on our other friends, excuse me, associates and if this record is released, it could endanger lots of reputations, including our other friends in law enforcement and I just wanted to ensure that this hearing stays sealed and will not be released unless either parties

FILED

agrees to it being released, or unsealed your honor....this is an active deal/agreement and only The defendant or My office can alter it and we certainly will not because of our other associate in New York, Bad Boy, the King..Sean Combs--

THE COURT: Alight, The defendant is not a lawyer and he is what, 24 or 25? He will just ask his questions as he see and if I feel or think it is crossing a line into our side of things, then I will cut him off, okay?

PROSECUTOR: Thank you Harvey, excuse me, your honor--

THE COURT: Never mind that John...now lets get back to our witness, was it Judge Worthy or what have you decided that I can call you for this hearing?

WITNESS: Kym Worthy is perfectly fine Your Honor, --sic--

THE COURT: Okay, Mr. Cardello-Smith, are you ready? Wait a moment, I should actually place you all under oath....

THE COURT: Ms. Worthy, raise you right hand?

THE COURT: Do you swear the testimony your about to give is the truth and nothing but the truth, so help you God?

WITNESS: I do.

THE COURT: Okay, aright...Mr. Defendant Derrick Lee Cardello-Smith, raise your right hand,

THE COURT: Do you swear that the testimony your about to give, or questions your about to ask are truthful and nothing but the truth so help you God?

DEFENDANT: I do your honor, sir.

THE COURT: I like this guy, he is always calling me sir, even under his circumstances, aright, let's do this...There is no stand to take so you can stay there in that seat Ms. Worthy.....You stay there in your Shackles and Handcuffs Mr. Cardello-Smith.

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DEFENDANT: Not a Problem your honor. Thank you very much sir.

THE COURT: Okay, Cardello-Smith, ask your questions of the witness--

DEFENDANT: Judge Worthy, how are you today?

WITNESS: How do you think? Is this a question or you just going to waste time?

THE COURT: Defendant Cardello-Smith, please ask your questions?

DEFENDANT: Yes Sir....Okay Ms. Worthy is it?

WITNESS: You know who I am--

DEFENDANT: Of course I do.--What do you do currently and or what are your job experiences?

WITNESS: Is he serious?

THE COURT: Just humor him and us all and answer the question.

WITNESS: I am a have work experience as a Lawyer, Officer of the Court, First Black Prosecutor here and Judge in Detroit, Michigan at this very court.

DEFENDANT: Have we ever met before today, May 1, 1998?

WITNESS: Yes, we have met several times before today.

DEFENDANT: When was our first time meeting each other Ms. Worthy, Judge Worthy?

WITNESS: Back at the Crime Lab a little less then a year ago.

DEFENDANT: How did we meet? What were the circumstances/ The situation your honor?

WITNESS: I was having a late night meeting with some very important people and then you came and attacked one of the primary people I have very close ties with.

DEFENDANT: Who are these primary people? What were you doing at a Detroit Crime Lab Warehouse so early in the morning?

WITNESS: Who the hell do you think you are questioning me and asking me questions like that? Do you know who I am and what I am capable of?

THE COURT: Okay, just stop and hold on there....Ms. Worthy, you need to

FILED

just answer these questions, okay, he is keeping up his end of the deal, so will you okay...Thank you, Proceed Mr. Cardello-Smith.

DEFENDANT: Thank you Sir..Ms. Worthy....Is there a Primary figure that was present on the night in question?

WITNESS: Well of course there was..

DEFENDANT: What is that persons name Ms. Worthy?

WITNESS: Puffy, Puff Daddy, Sean Combs, whew that man is fine? Mo money Mo Problems, no problem for me or my girls, that is for sure.

DEFENDANT: Thank you for that, so your stating on the record, that Puff Daddy otherwise known as Sean Combs was at the meeting at the Detroit Crime Lab and Warehouse in Detroit on or about June 15, 1997?

WITNESS: Well Yes, what other day am I talking about?

DEFENDANT: What other day indeed...right..Ms. Worthy, what happened that night when I arrived on the scene of your meeting and in your own words?

WITNESS: You came running at them with a Piece of Steel or a Tire Iron out of your Z-28 and smashed both Body guards in the knees and they went down and then you hit Mr. Combs in his back, turn him around and hit him in his face, and you were yelling something about him Raping you back there in Adrian or some place maybe even here in Detroit....But either way, you messed up a lot of investments, even your money you gave him, that I did not know about until that night it was \$150,000.00 I think right?

DEFENDANT: Yes, that is what he amount was, but that is not important right now, what is important is that you said that I was yelling about being raped and you said that this was at a warehouse for the Detroit Crime Lab, is that correct?

WITNESS: Yes, that is correct.

DEFENDANT; Thank you,just a moment,I have to check my notes here.

FILED

DEFENDANT: Thank you...What is in that warehouse?

WITNESS: All sorts of things, but mostly, Evidence from a while bunch of rapes, and some homicides that do not need to be figured out yet or ever for that matter, why?

DEFENDANT: I am asking the questions Judge Worthy, please just answer them, okay....and your honor? Please instruct the witness to just answer the questions and nothing more, because this is on the record..

THE COURT: He has a point, just answer the questions?

WITNESS: Understood your honor.

DEFENDANT: Did you ever come to be in possession of a Sexual Assault Kit from 1997 or a Homicide Evidence package from July 1997?

WITNESS: Yes, to both.

DEFENDANT: Thank you for your honesty there...Now, what happened with that rape kit?

WITNESS: I had it turned over to my team and my investigators so that I can ensure that it was secured.

DEFENDANT: Why did you need to secure it/ Why would it be given to you and not processed as any other rape kit evidence?

WITNESS: Because it involved our financier, Sean Combs--Puffy, Puff Daddy and his blood, semen and your fecal matter is all mixed in together.

DEFENDANT: So, your stating on record that there is a Rape Kit that contains Evidence that Sean Combs Sexually Assaulted me, is that correct?

WITNESS: Yes, so what?

DEFENDANT: Your honor, please ask the witness to stop that kind of language, I am being very cordial and following all the rule.

THE COURT: Your warned again Ms. Worthy.

FILED

WITNESS: Yes your honor.

DEFENDANT: Thank you sir. Ms. Worthy, your acknowledging that there is also other evidence of a separate crime, Homicide evidence, correct?

WITNESS: Correct: the guy you killed, Carl Bishop.

DEFENDANT: Why are you keeping that evidence/ Shouldn't it be with the Medical Examiner for the Morgue?

WITNESS: No, not this one, because it will reveal other people and so much involvement by others that we have to keep this quiet and so will you, if you want this deal and to get your money from Puffy and those other parts of the deal we signed on the hood of your car.

DEFENDANT: So, the terms of this deal we are hear for now is what Ms. Worthy?

WITNESS: You keep quiet that the man you killed was sent by Sean and our teams, and we free you and clear you of the Rape Charges we have on you now?

DEFENDANT: Why would you have rape charges on me when I did not rape anyone?

WITNESS: Because I can and we an and we have lots of rape kits that we can use on you or anyone, if it meets my needs, remember, I am the Boss, not you!

DEFENDANT: Don't I know it...Now, let me get this correct, You, Sean Combs and others sent men to kill me and I fought them and killed one of them, in self-defense, is that correct?

WITNESS: yes, that is correct...You did not commit any rapes and it was self-defense.

DEFENDANT: But I have to go out in this courtroom today and lie on the record out there that I am guilty of Rapes I did not commit or do, and in exchange for it, my family is safe and will not be harmed, and I will be cleared of any rape

FILED

charges in the future for the rapes I am going to be pleading guilty too shortly out there, even though I am innocent of them?

WITNESS: Yes--

DEFENDANT: But the murder I am guilty of, it will be sealed in this hearing?

WITNESS: Correct.

DEFENDANT: And it is your testimony, that the Commitment of sentence will be sealed too and the court will effect a false judgment of sentence to send me to prison on just to keep everything about Sean Combs, your organization and everything else quiet.

WITNESS: Correct/

DEFENDANT: Am I guilty of Rape?

WITNESS: No.

DEFENDANT: Am I guilty of murder, with self-defense?

WITNESS: Correct.

DEFENDANT: Did you, Sean Combs and I come to an agreement in 1997?

WITNESS: Correct also.

DEFENDANT: Will my family be safe?

WITNESS: As long as you are willing to fully cooperate with Sean, our friends here at the Prosecutors Office, yes.

DEFENDANT: Thank you for your admitting it on the record Ms. Worthy.

DEFENDANT: What is your bar Number now?

WITNESS: 38875, why?

DEFENDANT: Just for the record.

WITNESS: You know we have you right?

FILED

DEFENDANT: Have me what?

WITNESS: Your not going to get that money back from Sean, even if Death Row is making his profits go down!

DEFENDANT: Okay thank you for that, now, Ms. Worthy...Did Patrick Jackman provide you with the Evidence from my Sexual Assault Examination?

WITNESS: Correct.

DEFENDANT: Why and what are you going to do with it?

WITNESS: Keep it, so that you do not mess with our investments.

DEFENDANT: So, Sean Combs, The Detroit Police Department, and you decided that your going to frame me and all to keep everything quiet because of his "Reputation", your origination, your many connections and the money being distributed and saved up by you and your people?

WITNESS: That is correct!

DEFENDANT: Thank you...now, Sean Combs, will allow my investment and those of the 9 other prisoners who gave him money the evenings when he was looking his connections for more artists and some non-artist.

WITNESS: Sean Combs, raped you, we're covering it up to the best of my ability and foundations that have been formed...

DEFENDANT: This is worse then who it is that is over us?

WITNESS: Can't you'll just hold those thoughts up because it is a factor that should have been on me and nothing else.

DEFENDANT: So, I am being and have been framed for multiple rapes I did not do, and Even worse, Sean Combs Raped me and I have to just deal with it because of our meetings and plea deal.

WITNESS: That is correct.

FILED

DEFENDANT: Just verifying.

WITNESS: Okay, anything else?

DEFENDANT: Yes, When I go out into the court, I will be taking a plea to a crime and crimes, that I am innocent of and crimes that you know I am innocent of and it is the only way to protect my family, protect my interest into Bad Boy with Sean Combs, and I have to keep the fact that I was raped by Mr. Combs and beaten by Mr. Combs, quiet in order to not be sentenced to Life without Parole for a Murder case that I am the victim of, or I was the intended victim of because Sean Combs and you sent men out to kill me, just less then 1 week after I signed a Criminal Complaint and This Judge Mr. Tennen executed a Special Warrant and not the Normal Warrants from Criminal Cases, but to ensure that no one saw it saw it and that it remains sealed until One of us breaks the deal, which is based on the real deal signed by us all in 1997?

FILED
WAYNE COUNTY CLERK'S OFFICE
UNSEALED MARCH 21, 2007
Party Motion: Defendant Derrick Lee Cardello-Smith

WITNESS: Correct.

DEFENDANT, Just verifying al of these claims.

WITNESS; Anything else Sir?

DEFENDANT: Just one more question, knowing how dangerous this situation is, why did you choose to frame me for false rapes and why did you want to hide this hearing Ms. Worthy?

WITNESS: Correct.

[Defendant is searching through papers for notes to continue questions of the witness, Judge Kym L. Worthy]

DEFENDANT: Okay your honor, I have my notes all set here..Thank you.

THE COURT: Proceed with your questioning Mr. Cardello-Smith.

FILED

DEFENDANT: Are you waving and giving up voluntarily your claims of Governmental immunity for this testimony which can and will confirm that you are in fact going to take refuge in your absolute immunity that is given to you as a former assistant prosecutor and current judge to balance out your role in this scheme to have me eliminated and it backfire on you and your people?

WITNESS: Mr. O'Hair?

PROSECUTION: Yes, the witness waives all judicial, prosecutorial and government immunity in light of these admissions on the record for purposes of Defendant Cardello-Smith's Plea and his requirement that this record is made so that his plea can be given on the open court record.

THE COURT: Okay alright, Mr. Cardello-Smith, are you satisfied with that?

DEFENDANT: Oh most certainly your honor, I would just like to fully confirm this matter in the best way possible and if you would just indulge me a little bit, I would be grateful for it your honor, if I may?

THE COURT: Proceed--

DEFENDANT: Ms. Worthy, it is your testimony in this closed yet recorded in chambers hearing, that you are fully aware that I, Derrick Lee Cardello-Smith, was the target of an assassination attempt funded by Sean Combs of Bad Boy out of New York, who wanted to silence me for many reasons, but the primary reason is that he drugged, beat and sexually assault me in June, 1997 at a hotel in Adrian, Michigan?

WITNESS: Yes.

DEFENDANT: As I was tending bar at different events for Mr. Combs, and at the hotel in Adrian, Michigan, this is when the rape occurred and when it

FILED

actually took place and all the evidence from that rape was given to You by Detroit Police Officers, and most specifically, Patrick Jackman, Sergeant with the Detroit Police Department, is that correct?

WITNESS: Yes, that is correct--

DEFENDANT: Thank you....now, you are aware of an agreement that we all signed when I showed up at one of your 'Meetings' and I assaulted Mr. Combs, is that correct?

PROSECUTOR: You honor, asked and answered.

THE COURT: Ask something else Defendant Cardello-Smith.

DEFENDANT: Sure, do you agree that I am only going to go out and plead to this offense to save my life, my family and then I am going to state prison for those reasons because of the Criminal Organization here in Detroit, Michigan and its ties to Bad Boy?

WITNESS: Agreed, yes.

DEFENDANT: Thank you....Do you also agree that the men who came at me were directly linked to you and Mr. Combs and the only reason you have that homicide evidence is to protect yourself and others from the conspiracy that was done to frame me?

WITNESS: Yes.

DEFENDANT: Was I actually cleared of any sexual assault or rapes or anything that resulted in causing harm to a woman, by the Detroit Police Department and will you say that on the record as part of this plea to which I am going to go into court and claim I did knowing I am innocent of it?

WITNESS; Yes..

DEFENDANT: Thank you Ms. Worthy. Now, how much am I actually

FILED

entitled to out of the Bad Bay Entertainment and Sean Combs Enterprises, Inc based on your knowledge?

WITNESS: Sean is the majority and your the minority, I believe it is 49% that was agreed upon between all of us?

DEFENDANT: Do you know who Patricia Penman is?

WITNESS: Yes, she is a Dearborn Police Officer.

DEFENDANT: Are you aware that Detective Penman and I had a relationship for some years?

WITNESS: Yes, I am aware--

DEFENDANT: How did you come across this information?

THE COURT: Okay Cardello-Smith, you cannot lead the witness, I will give you some leeway, but be careful.

DEFENDANT: Yes Sir...Understood...Ms. Worthy, how did you become aware that Patricia Penman and I have history together? What was the subject about?

PROSECUTOR: Your honor, the witness cannot speak to another persons thoughts or events?

DEFENDANT: Your honor, this is just a silly statement by Mr. O'Hair, The witness can clearly speak about how her and a police officer that I dated met and are together? It most certainly is not wrong?

THE COURT: Go ahead Ms. Worthy, answer him.

WITNESS: Yes, she spoke about how you treated her good and was a better man for her than her husband or boyfriend and how she wanted you to be hers exclusively and you broke it off with her abruptly.

FILED

DEFENDANT: Did she say why?

PROSECUTOR: Objection, hearsay.

THE COURT: Overruled, you will have a standing objection.

WITNESS: Yes, she said because you were not ready for a committed relationship and wanted to be fair to her and let her know where you stood.

DEFENDANT: Did she express any other thoughts or words verbally on this to you Ms. Worthy?

WITNESS: Yes, she said that she would 'Never let you be with any other woman and she would ensure that if you ever got out, she would Kill you or send you back to prison?

DEFENDANT: What was your answer to that?

WITNESS: Oh well, he should not have broken up with you, Men do us like that all the time, look at the father of my girls?

DEFENDANT: Thank you Ms. Worthy...

THE COURT: Okay, so you and Officer Patricia Penman dated, where is this line of questioning going to Sir?

DEFENDANT: I just wanted this on the record for truth, that is all your sir.

WITNESS: Okay, is there anything else?

THE COURT: I will ask the questions thank you.

DEFENDANT: Yes there is, When I go to take this plea, in the court, this hearing will not be a part of that plea agreement, correct?

WITNESS: As far as I know, correct.

DEFENDANT: But I will be pleading to a Criminal Sexual Case with the same number as this case number, even though I am not a rapist, but I am actually a victim of Sean Combs, and your office is helping to cover it up?

FILED

WITNESS: Yes.

DEFENDANT; Also, Ms. Worthy, is it your testimony today that you are completely aware of the overflow crime lab warehouse containing thousands of rape kits that you have stated you would have placed on me as you have done other men?

WITNESS: Yes.

DEFENDANT: Is it your testimony that you have your team of technician at the Crime Lab who can and have manipulated evidence to place rapes on not only myself, but other men as well, with the end result being, they will plea because they have no choice and they know you will get convictions because the Sexual Assault Victims in those cases are actually victims of Sean Combs and the Sexual Slavery Ring in Michigan?

WITNESS, Somewhat, yes.

DEFENDANT: Your honor, please instruct Judge Worthy to ask the witness, Yes or no to this question.

THE COURT: The witness will respond yes or no.

WITNESS: Yes.

DEFENDANT: Thank you...now, how many rape kits exist in that warehouse that you are aware of?

WITNESS: Between 5 to 9 thousand.

DEFENDANT: And you will pay the so called "victims " to say that I or anyone else you feel like putting on them, to say that the suspect, Raped them, is that correct?

WITNESS: yes, so.

DEFENDANT: and this is the case with me, am I correct, you or Sean Combs or someone on his behalf has in fact Paid the people who swore out the

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felony complaint to say that I raped them and that I need to be placed in prison, when you know and John O'Hair and his Team of Prosecutors Know that I am not guilty of Raping anyone, and it is all done to show loyalty to Sean Combs, and to continue with this criminal enterprise and operation that is going on in Wayne County, Michigan, is that correct Ms.Worthy?

WITNESS: So, what if it is?

DEFENDANT: Your Honor!

THE COURT: Yes or know Judge Worthy.

WITNESS: Yes, yes yes.

DEFENDANT: Thank you, now, when I attend this court hearing, today or whatever day it goes down, I have to say that I was not threatened or that anyone is forcing me to take this plea, is that correct?

WITNESS: Yes.

DEFENDANT: And your Office and your staff at the Court and connections with This Man, John O'hair put this deal together, is that correct?

WITNESS: Yes.

DEFENDANT: Your honor, I want the record to show that Witness Kym Worthy, just acknowledged the Wayne County Prosecutors Office and its Current Prosecutor John O'Hair put this deal together.

THE COURT: It does, continue.

DEFENDANT: Thank you. Now, Ms. Worthy, what is the true sentence I am going to State prison for actually?

WITNESS: Second Degree Murder with Self-Defense variables.

DEFENDANT: Your honor, is this the deal you understand that I am going to State prison for and I will be pleading to False Rape Charges in this same case,

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that is being transcribed?

THE COURT: Yes Mr.Cardello-Smith, this is the True Plea Agreement and it will be sealed and only ourselves and our special Shorthand Reporter will know about it because of this deal and it is a No-Contest Plea.

DEFENDANT: Thank you sir. Okay now, Ms. Worthy...I will be entering this plea to crimes I did not do in order to save my family from being targeted by this criminal empire and to ensure that I can be released in 25 years, because I did in fact take a mans life, now while it was self-defense, I still took his life, protecting a woman and I have to be humiliated and have your office turn me into a Sexual Deviant who hurts women, when I actually saved a woman, is that correct?

WITNESS: Yes, correct.

DEFENDANT: This is the most horrendous thing I have ever seen in my life, and you should all be ashamed of yoruselves..But you have the power and I am just a pawn....as Long as Yu Ms. Worthy and Sean Combs upholds their end of the deal, then we have a deal...My family is safe, my money gets to grown into Sean Combs Company, and the Rape he did upon me gets covered up and all the evidence stays with Kym Worthy,the evidence of his rape on me and the homicide evidence gets to stay with you too.

WITNESS: Yes, correct.

DEFENDANT: Okay, well then, lets do it since I have no choice.

WITNESS: No you do not.

THE COURT: Okay, we appear to be all set, Anyone have anything closing to say?

WITNESS: Yes, Mr. Cardello-Smith, do not ever try to break this deal, I

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know I will not and Sean has assured me he will not, and if you do, boy, not one person will believe you...even if you have this record unsealed, I am untouchable, but your family and you saw what happened to Nevers and Budzyn, right?

So do not break our deal..I will clear you later on of any rapes, but if you break it, I will add more and really make you look terrible, believe me, I can do it today, tomorrow or years from now, we have everything needed to make it happen, so get your ass in there and take that plea, and it is going to be a guilty plea for the sex crimes..

DEFENDANT: Okay, but I can assure you of this Ms. Worthy, one day, this will all come back because the truth cannot be hidden, Light will always shine through from the darkness..I am a man who saved a woman, not hurt women, but that will all come out some other day and time.

WITNESS: Not today though..

DEFENDANT: Okay, let's go..I have no more questions for this witness your

THE COURT: Well, that was pretty interesting wouldn't you all agree with me? I am glad that that is over, so now we can get to the actual public plea hearing today and then the sentence shortly thereafter.

DEFENDANT: Excuse me for one moment your honor.

THE COURT: What is it now Cardello?

DEFENDANT: How are you going to keep these proceedings sealed and hidden in order for the plea that I am going to take if everyone knows that I am Cardello-Smith? I believe that you would have to hide it somehow because I am known as Cardello-Smith and Sean, Kym, and especially Penman knows me

FILED

by that name, so they could very well just have it to where anyone searching the court records would find these transcribed proceedings when they are transcribed and simply place it with the homicide and it will show that I am really in for second-degree murder and that will break our 3 way agreement and my family could be hurt behind this?

THE COURT: I see, smart thinking, I will just place t under Derrick Lee Smith, Derrick Smith, and w will keep the second-degree murder under Derrick Lee Cardello-Smith, I am sure that we have enough Derrick Smith's and we can even throw in a Derrick Lee Moore, he is a Serial Rapist I convicted just last week so I can just add your real name to his name, and that will keep anyone searching busy.. Okay. you will uphold your end of this agreement and when we are in open court Mr. Cardello-Smith, and I ask you if anyone has threatened you, forced you to plea, or promised you anything, your answer will be "No." okay Mr. Cardello-Smith? Is that clearly understood?

DEFENDANT: Yes Sir, even if I know my family will be slaughtered by Sean Combs and Kym Worthy's people..You still expect me to say no I was not threatened?

THE COURT: That is correct.

DEFENDANT: Everyone thinks your just this caring, understanding judge..

THE COURT: What would you say I am?

DEFENDANT: A Complete Coward who is not a man and hides behind his power, friends, colleagues, and most importantly, a Criminal yourself, that is what I think of you with all undue respect, Sir/

THE COURT: Whatever....just do what your supposed to do and everything will be alright...

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DEFENDANT: Okay your honor, see you at the "Plea Hearing"

THE COURT: The witness may leave the chambers, get that man to the holding cell and lets get started.

DEFENDANT: Your honor, I want to say this much...My mother is going to have to hear me say lies and then she is going to think I am this type of person and I am not that kind of man you people have forced me to be. I want it clear that you can say on the record that I am a Man who defended a Woman and myself and that I am being framed for multiple rapes that I am innocent of and you know it and are still forcing me into this, with your full knowledge, are you man enough to say that on the court record sir?

THE COURT: I am more than man enough, so yes, everything you said, I adopt on the record as true, your not a rapist, you have been framed for them and it is all done on Our Approval and most especially, Kym L. Worthy, Sean Lee Cardello-Smith happy now?

DEFENDANT: Hopefully one day, this will all come out.

THE COURT: Not today, take him back.

DEFENDANT: This is illegal and Sean Combs, Kym L. Worthy are all behind this and you are just letting it happen, your honor.

THE COURT: Gotta pay the bills somehow.

WITNESS: Amen to that!

THE COURT: Okay your still excused...Keep this sealed and only one of the parties can break it. Parties being The Wayne County Prosecutor's Office, Myself, Judge Kym Worthy, or the defendant Cardello-Smith. I will order my shorthand reporter to seal these records for 30 years or whichever party breaks

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this deal. also, make sure that you send this to our New York Friend, Sean

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Combs...okay....thank you young lady..

THE COURT: See everyone soon, and remember, this never happened,
put on your dancing shoes. after all I am a judge.

(Whereupon, proceedings recessed at 10:18:31..)

FILED
WAYNE COUNTY CLERK
MAY 2, 1998
SEALED FILE MATERIALS
JUDICIAL ORDER DIRECTIVES
PENDING INVESTIGATION

FILED
WAYNE COUNTY CLERK'S OFFICE
UNSEALED MARCH 21, 2007
Party Motion: Defendant Derrick Lee Cardello-Smith

FILED

STATE OF MICHIGAN)
) ss.
COUNTY OF WAYNE)

I certify that this transcript, consisting of 24 pages, is a complete, true, and correct transcript of the videotaped proceedings and testimony taken in PEOPLE OF MICHIGAN versus DERRICK LEE CARDELLO-SMITH, file no's 1998-004133-01(1) and 1998-004133-01(2) on May 1, 1998....

*Please note proper names and/or case numbers unknown to this reporter are spelled phonetically and may not be correct.

HEARING IS SEALED
PER HONORABLE HARVEY TENNEN

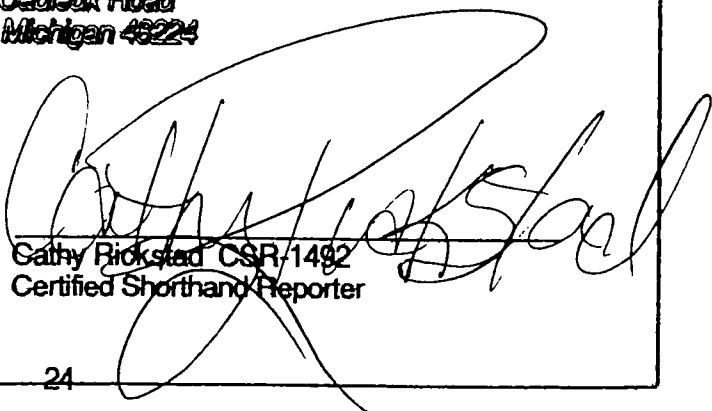
FILED

WAYNE COUNTY CLERK'S OFFICE
UNSEALED MARCH 21, 2007
Party Motion: Defendant Derrick Lee Cardello-Smith

FILED

WAYNE COUNTY CLERK'S OFFICE
Case No's 1998-004133-01(1)
1998-004133-01(2)
Derrick Lee Moore-as to Derrick Lee Cardello-Smith
Per Honorable Harvey F. Tennen
SESSION PLEA HEARING OF 5-1-98

*Cathy Rickstad,
Certified Shorthand Reporter & Photographer
For Confidential Photography & Reporting Services
Farber Studios, Inc
4925 Cadieux Road
Detroit, Michigan 48224*


Cathy Rickstad CSR-1492
Certified Shorthand Reporter

OFFE ROF PROOF #2

CONVICTION INTEGRITY UNIT LETTER
CONFIRMING NO DISAGREEMENT WITH PETITIONERS
CLAIMS OF FRAMING BY RESPONDENT ~~WORTHY~~

Worthy



KYM L. WORTHY
PROSECUTING ATTORNEY

COUNTY OF WAYNE
**OFFICE OF THE PROSECUTING
ATTORNEY**
DETROIT, MICHIGAN

1200 FRANK MURPHY HALL OF JUSTICE
1441 ST. ANTOINE STREET
DETROIT, MICHIGAN 48226-2302

TEL: (313) 224-5777
FAX: (313) 224-0974

DARYL CARSON
CHIEF OF STAFF

November 21, 2023

Derrick Lee Smith
MDOC #267009
Ionia Correctional Facility
1576 W. Bluewater Highway
Ionia, MI 48846

Dear Mr. Smith:

I write in response to your letter received November 15. I do not disagree with your assessment. Therefore, I forwarded your prior letter and will forward this one to the Public Integrity Unit. If that unit determines to undertake an investigation, then they have the power to recommend to the Prosecutor that relief be granted if warranted.

Sincerely,

/s/ Vrh

Valerie Newman
Deputy Chief and
Director of Conviction Integrity Unit

55

Mr. Derrick Lee Cardello-Smith
#267009-6-63
Ionia Maximum Correctional Facility
1576 W. Bluewater Highway
Ionia, MI 48846

November 23, 2023

Office of the Wayne County Prosecutor
Valerie Newman, Director and Deputy Chief
Office of the Conviction Integrity Unit
1200 Frank Murphy Hall of Justice
1441 St. Antoine Street
Detroit, MI 48226

Re: Wrongfully Convicted Defendant's Assessment of the Wayne County Prosecutor Office John O'Hair, Kym L. Worthy's refusal to vacate convictions based upon unlawful No-contest Plea and Sentences as to the Criminal Cases of: People of the State of Michigan v. Derrick Lee Cardello-Smith Case No's 1998-004133-01-FC, 2008-008639-01-FC, 201C, 2019-000756-01-FC being funded by Sean "Diddy" Combs, and others in Wayne County Law Enforcement to Hide the Rape of Defendant by Sean Combs.

Dear Deputy Chief and Director Valerie Newman.

I am sending this in addition to the attached 4 Page and Other Letters to ask you directly if you, as the Deputy Director and Chief of the Wayne County Prosecutors Office Agree or Disagree with my Assessment of Your Supervisor and Employer Kym L. Worthy pertaining to my Criminal Convictions obtained through No Contest Pleas:

1. I assess that Chief Wayne County Prosecutor and Former Judge Kym L. Worthy refuses to allow me to be released from custody because the convictions will confirm that She in her official and individual capacity violated Criminal Laws that will result in her removal from office, suspension, arrest, conviction and sentence.

2. I assess that of the 11,431 Sexual Assault kits found in the Detroit Police Crime Lab Warehouse, the last 1 is the Semen, Blood, biological, material and other items that identify the Current Owner of Bad Boy Entertainment, Sean Combs Enterprises, Mr. P. Diddy, Sean Combs, Puff Daddy and Kym L. Worthy must keep it hidden and not allow it to be tested until she is ready as that it will result in Sean Combs being identified as the Suspect in this Defendants Rape in 1997.

3. I assess that Kym L. Worthy wishes to keep me incarcerated on these false charges because her role is that in on June 15, 1997, She was present with Sean Combs, Myself and other Law Enforcement and Wayne County Government Officials when I was first threatened with the Rape Charges in 1997.

4. I assess that Kym Worthy, John O'Hair and others in the Prosecutors Office participated in the 1997 Murder attempt on my life in which Carl Bishop and 2 others acted on Orders of Sean Combs, Kym Worthy and others to take not only my female companions life, but mine as well to silence me on the Sexual Assault that I was victim of by Sean Combs in 1997.

5. I assess that Kym Worthy, Patricia Penman, David Cobb and members of the MDOC have worked to get all my appeals denied and that I have been framed by these named officials.

6. I assess that Patricia Penman, Wayne County Investigator Hired Contract Killer Vincent Smothers in 2007 to execute me and Kym Worthy knows about it.

7. I assess that Transcripts of my Second Degree Murder, Plea hearing confirms Kym Worthy waived her Judicial Immunity in the 1998-004133-FC case.

8. I assess that I am innocent and your office of the CIU know it, but Kym Worthy will not file for my Plea to be Withdrawn because the Witnesses will implicate her and others in Framing me for False Crimes and Kym Worthy will not uphold the actual plea bargain may on May 1, 1998 and again on May 2, 2019.

9. I assess that I am innocent of All criminal charges and your office cannot do anything about it because State Law requires the Chief Prosecutor to act and she will not because she is complicit in this vast conspiracy to frame me for Rapes I did not do.

10. I assess that Patricia Penman, Wayne County Detective is also in charge of the Public Integrity Unit that investigates corrupt Police and since she is the one who paid the Contract Killer Vincent Smothers to execute me, she obviously will not investigate this matter?

11. I assess that if I am allowed to withdraw my plea and go to trial as I originally sought, then the Wayne County Prosecutors Office in 1997 through today will be guilty of felonies.

12. I assess that the transcript from the May 1, 1998 Plea hearing had then Judge Kym Worthy present admitting to her role in the attempted murder of myself and ending in the death of Carl Bishop, and requiring the transcripts to be released, from the Sealed Plea and Sentence.

If you agree with my assessment, please indicate so and process this and the other documents to the appropriate staff.

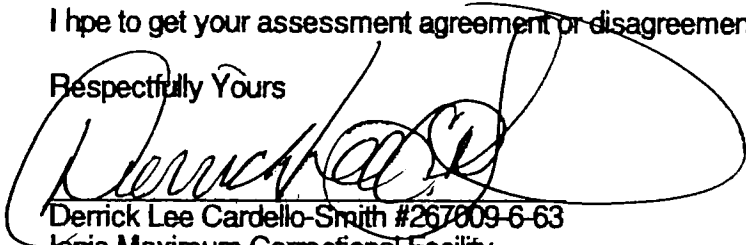
I understand that you cannot come directly out and say anything bad about your current boss, but an innocent man being locked up for something I did not do should always outweigh anything else.

I thank you Director Newman for reviewing this and the other documents.

I hope to get your assessment agreement or disagreement in the mail soon.

Respectfully Yours

November 5, 2023



Derrick Lee Cardello-Smith #267609-6-63
Ionia Maximum Correctional Facility
1576 W. Bluewater Highway
Ionia, MI 48846

**MAY 26, 1998 JUDGMENT OF SENTENCE
ON SECOND-DEGREE MURDER-SELF DEFENSE**

**STATE OF MICHIGAN
THIRD JUDICIAL COURT
CRIMINAL DIVISION**

**JUDGMENT OF SENTENCE
COMMITMENT TO
CORRECTIONS DEPARTMENT**

CASE

98-004133-01

267009

ORI

Court address

MI-

Police Report No. 1441 ST. ANTOINE STREET 48226

313 224-2421

Court telephone no.

THE PEOPLE OF THE STATE OF MICHIGAN

v

Defendant's name, address, and telephone no.

Derrick Lee Cardello-Smith

CTN

82-98-8066974-01

SID

1504755E

DOB

11/1/72

Prosecuting attorney name

Bar no.

JOHN D. O'HAIR P-18432

Defendant attorney name

Bar no.

PRO PER

THE COURT FINDS:

1. The defendant, represented by counsel, was found guilty on 5/1/98 of the crimes stated below:

*Plea: use "G" for guilty plea; "NC" for nolo contendere; "MI" for guilty but mentally ill. Date

Count	CONVICTED BY Plea* Court Jury	CRIME	CHARGE CODE(S) MCL citation ACC Code
1	NC	SECOND DEGREE MURDER-Self Defense Variables CLOSED SENTENCE HEARING FOR PLEA-SEALED	750.316

☐ 2. The conviction is reportable to the Secretary of State under MCL 257.732 or MCL 281.1040.

The defendant's driver license number is: _____

☐ 3. HIV testing was ordered on _____ Date _____ Confidential test results are on file.

IT IS ORDERED:

4. Defendant is sentenced to custody of Michigan Department of Corrections. This sentence shall be executed immediately.

Count	SENTENCE DATE	MINIMUM Years Mos. Days	MAXIMUM Years Mos.	DATE SENTENCE BEGINS	JAIL CREDIT Mos. Days	OTHER INFORMATION
1	5/26/98	25	35	5/26/98	43	
						CONCURRENT WITH 97-10147, 97-1046 DISMISSED-NO-CONTEST PLEA RESTITUTION DEFERRED PER JUDGES KYM WORTHY & HARVEY TENNEN

☐ Defendant shall pay restitution of \$ _____. If a cash bond/bail was personally posted by the defendant, Payment toward restitution is to first be collected out of that bond/bail and allocated as specified under MCL 775.22.

☐ 5. Sentence(s) to be served consecutively/concurrently to:
☐ each other. ☐ Case Numbers: _____

6. Defendant shall pay a \$60.00 assessment for the Crime Victim Rights Fund.

7. Defendant shall pay a \$150.00 assessment for forensic lab test.

☐ 8. Court recommendation: 97-10146 DISMISSED, COUNSELING

5/26/98

Date

Judge

HON. HARVEY F. TENNEN

Bar no.

Under MCL 769.16a the clerk of the court shall send a copy of this order to the Michigan State Police Central Records Division to create a criminal history record.

I certify that this is a correct and complete abstract from the original court records. The sheriff shall, without needless delay, deliver defendant to the Michigan Department of Corrections at a place designated by the department.

(SEAL)

Deputy court clerk

MCL 765.15(2); MSA 28.902(2); MCL 769.16a; MSA 28.1086(1); MCL 775.22; MSA 28.1259, MCL 766.766; MSA 28.1287

MCR 6.422

219b (1/98)

JUDGMENT OF SENTENCE, COMMITMENT TO CORRECTIONS DEPARTMENT

Derrick Lee Cardello-Smith
#267009
IMAX-1576 W. BLuewater Highway
Ionia, MI 48846

June 10, 2025

Clerk of the Court
US District Court-Eastern
Theodore Levin US Courthouse
231 W. Lafayette Blvd
Detroit, MI 48226

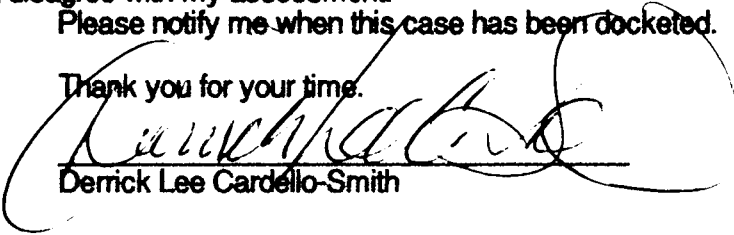
Re: Derrick Lee Cardello-Smith v. Sean Combs, et al
Case No 2:25-cv-_____

Dear Clerk:

Enclosed for filing in the above cause, the following documents for case assignment and judicial assignment:

1. \$5.00 Filing Fee
 2. Petition for Writ of Habeas Corpus
 3. Transcripts of Kym L. Worthy under Oath in May 1, 1998 in the courtroom of Judge Harvey F. Tennen.
 4. Wayne County Prosecutors Letter confirming that Conviction Integrity Unit does not disagree with my assessment.
- Please notify me when this case has been docketed.

Thank you for your time.


Derrick Lee Cardello-Smith

34 pages
total

FIRST CLASS



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Derrick Lee Cardello-Smith
#267009
IMAX-1576 W. Bluewater Highway
Ionia, MI 48846

Mailed on 6-11-25

To: Clerk of the Court
United States District Court
Eastern District of Michigan
Theodore Levin US Courthouse
Case Processing Section-Room 564
231 W. Lafayette Blvd
Detroit, MI 48226

RECEIVED
JUN 17 2025
CLERK'S OFFICE
DETROIT

